

to go to the hotel for breakfast, their meals being brought to them, and they were kept in the jury room, removed from any outside communication and under strict watch by two bailiffs of the criminal court, Earl Bone and John Norberg.

Yesterday afternoon, after holding a conference, the attorney for Hartley decided to file a motion for a new trial, alleging errors. This will be filed in due time and if the new trial is denied, the court reported that it will be taken to the supreme court. It is quite apparent that the attorneys have little hope of their motion being granted, for they have already instructed the court to report to supply them with a certified copy of the record, which means that they expect to go to the supreme court.

Hartley, from the time he was taken to the county jail yesterday noon, maintained a studied composure. He was confined in one of the larger cells in the front portion of the jail and was frequently visited during the afternoon by his friends from Lincoln and his attorney in this city. In a conversation with the jailer, he stated that he expected to secure bonds and would remain his liberty shortly. Upon retiring about midnight he appeared restless and slept little during the night.

Causes Leading Up to Ex-State Treasurer's Arrest and Conviction. The crime with which Joseph S. Hartley was charged and on which he was tried was the embezzlement of \$180,017.75, being the proceeds from the sale of a warrant drawn in accordance with the provisions of a law passed by the legislature of 1895. This legislature passed an act providing, among numerous other things, that if thinking funds of the state should be reimbursed, the money that had been used had been tied up by the failure of the Capital National bank in Omaha, which had been the depository of the funds, the capital of the bank was found to be \$180,017.75. April 10, 1895, a warrant was drawn on the general fund for this amount, which was to be secured in the form of a bond, but instead of being payable to Hartley as state treasurer, it was made payable to him individually. Hartley came to Omaha with the warrant and secured its sale through the Omaha National bank, the New York correspondent of this bank taking the warrant and depositing it in the acceptance of the warrant was received by the Omaha National bank April 25, and in the meantime Assistant Cashier Balch of the Omaha National had asked Hartley what he should do with the proceeds when received. Balch testified on the trial that Hartley told him to deposit the account and pass it up to my credit, and the books of the bank showed that Balch did exactly as Hartley had told him, the full amount of the warrant being deposited in the books of the bank on April 25 to Hartley's personal credit. These same books of the Omaha National bank showed that Balch had been credited with the amount of \$180,017.75, which balance sometimes running as high as \$250,000. It was also shown that the person whose account of Hartley had been closed temporarily a short time before this warrant was sold and the full amount of the warrant was credited to Hartley's account within a few months after the credit was made, the greater part of the money being transferred to the First National bank of Lincoln, which was the depository of the money at that time. From here it was impossible to trace the money, the defense only being able to produce checks which it alleged accounted for \$50,000 of the money, and the books distributing that amount among six banks in different parts of the state which were state depositories. The rest of the money, however, did not show any entry of this amount, which, according to the claim of the defense, was transferred from Hartley's personal account to the First National bank.

WARRANT CONVERTED INTO CASH. Just before Hartley went out of office, his term expiring January 6, 1897, he called in this warrant and it was sent to the Omaha National bank, which was the depository of the money in the Omaha National bank when he drew a check upon the general fund of the state for the payment of the warrant and accrued interest, amounting to \$180,017.75. The treasurer's books showed this entry. Hartley's deputy testifying on the witness stand that he made the entries at Hartley's dictation just before the latter's term of office expired.

The records in the treasurer's office do not show any record of this warrant for \$180,017.75, but the records of the warrant register, which shows that the warrant was registered for payment on account of three being no money with which to pay it, but the records do not show the name of the payee of the warrant or of the holder, although this data is entered regarding every other warrant passing through the treasurer's hands. The defense was unable to produce any record of this warrant, and Finkle ordered him to purchase with money in the permanent school fund. The defense alleged that Hartley paid for these bonds out of his own pocket, and upon returning to the state this amount from the amount realized on the warrant. The books of the treasurer's office, however, showed that the permanent school fund was reduced by the amount required to pay for these bonds, and the natural inference was that if Hartley had used his own money, as he claimed, he had taken it out of the permanent school fund of the state and had not accounted for it.

HARD FOUGHT BATTLE. The trial of the defendant as treasurer was one of the most hotly contested legal battles ever fought in Douglas county, if not in the state. Hartley's attorneys, T. J. Mahoney of Omaha and C. O. Whelan of Lincoln, are admitted on all hands to be among the most able criminal lawyers in the state. Old practitioners at the bar were numerous and the case was so keenly contested as in the Hartley trial. The defense introduced its evidence in the form of a long and elaborate series of depositions, but to the jury the case was a simple one, and the numerous objections raised by the defense were overruled in the proceedings. The defense introduced its evidence in the form of a long and elaborate series of depositions, but to the jury the case was a simple one, and the numerous objections raised by the defense were overruled in the proceedings. The defense introduced its evidence in the form of a long and elaborate series of depositions, but to the jury the case was a simple one, and the numerous objections raised by the defense were overruled in the proceedings.

Walters-Dudley. HASTINGS, Neb., June 22.—(Special).—Harry A. Walters and Ida M. Dudley were quietly married last night. They immediately left for a two-day fishing trip and will be at home to their friends after July 10, at 132 East Third street.

To Write Up Omaha. Miss Elsie Reasoner, a member of the editorial staff of Travel, an illustrated magazine, is at the Millard. She is in the city on a special assignment for the magazine, and is expected to write up the history, resources, commerce, manufactures, etc., of Omaha, to appear in an early number of the magazine. She is a well-known accomplished literary woman and the daughter of a prominent writer and jurist, Charles F. Jones, of Salt Lake City.

Choice Boys' Entertainment. A benefit entertainment was given in Trinity Cathedral last evening for the choir boys of the church. In which Lu B. Calk, a former well-known Omaha man, and his wife, Ella Jane Meade Calk, took the principal roles. The entertainment consisted of character sketches, songs and recitations, many of them original, by Mr. Calk and his wife. The benefit was well attended and a considerable fund was raised for the choir.

PROVINCIAL CONVENTION. A convention of the Provincial Association of the United States was held at the Hotel de Ville, New York, June 22.—Rev. David H. Greer of St. Bartholomew's church, New York, was elected a delegate to the convention. He was elected a delegate to the convention. He was elected a delegate to the convention.

be taken except the instructions of the court. The warmest praise is heard about the manner in which Judge Baker has handled this case. Veterans at the bar who have watched the trial through its whole course express the opinion that the rulings of the court have been eminently fair and impartial and the facility with which the point of contention was grasped by the court and disposed of was commented on throughout the trial.

DEATH OF RETIRED ARMY OFFICER. Captain Sarson Passes Away After a Long Illness. Captain Horace B. Sarson died at his home, 618 North Fortieth avenue, yesterday afternoon at 5:50 o'clock, at the age of 61 years. He leaves a wife and one son to mourn his death. He had been ill since last January, and had been a great sufferer.

Not Enough Listed in Nebraska to Stock One Good Retail Store, While Cash and Bank Stock Are Minus. LINCOLN, June 22.—(Special).—The assessment abstract as made up from the reports sent to the state auditor from the various counties of the state plainly shows some of the inequalities possible under our present assessment system. For instance, the abstract of 1896 does not indicate that a single bicycle was assessed, while the money invested in bicycles in this state is becoming something immense. It is said that last year in some parts of the state bicycles were assessed, but that they were not listed under a separate heading because the blanks did not include bicycles in the printed titles. In Lancaster county, however, an attempt to assess bicycles was made last year, but the result was being remedied for that purpose.

Another curious thing shown by the abstract of diamonds and jewelry in the entire state, and of this \$5,041 was from Kearney county alone, indicating that that county owned almost all the diamonds and jewelry in the state. The valuation on the same items in Douglas county was only \$4,824, and in Lancaster county only \$645. In the case involving the sewing machines, valued at \$69, in Keith county there were forty-one watches valued at \$24. Richardson county, one of the wealthiest in the state, shows only in some \$15,000 worth of diamonds and jewelry in some other counties not a dollar is shown, and apparently no bank stock is owned by citizens of the counties assessed.

Explains the Principles of the New Religion. Mrs. Annie Besant, theosophist, writer and lecturer, delivered a lecture on "Man, His Character and His Destiny" at Creighton theater last evening. Mrs. Besant is returning eastward from a tour around the world in the interest of the London Theosophical society. She is accompanied on her journey by Countess Wachtmeister and Miss Anna Wilson, both prominent characters in the theosophical movement. The tour began in this country in New York City, and the lecturer has delivered addresses before all the prominent branches of the society, which she is a member in all the western cities.

RECEIVED BY THE WOMAN'S CLUB. A charming program was given yesterday afternoon by the Department of Philosophy of the Woman's club to Mrs. Annie Besant. Mrs. Besant, the leader of the department, presented the women individually to the distinguished guest, after which she introduced her from the platform. Mrs. Besant's lecture was devoted to theosophy, a new religious philosophy, which she demanded assent to but one article of faith, viz.: the brotherhood of man. It can have no creed, for it is a religion of the intellect. It is a religion of the intellect, and its soul, whose characteristic function is to unify. The theosophical society comes not to destroy, but to build, to bring to light truths which have been hidden by religions, and which have been lost. Mrs. Besant spoke with the power of deep religious feeling, combined with logical and finished expression and at the close of her lecture she answered many a question which came from every quarter.

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LUXURIES ESCAPE TAXATION. Abstract of the Assessment Rolls Shows Some Singular Facts. SCARCITY OF WATCHES AND DIAMONDS. Not Enough Listed in Nebraska to Stock One Good Retail Store, While Cash and Bank Stock Are Minus.

LYONS, Neb., June 22.—(Special).—A good rain fell here last night. The top of the ground was beginning to get dry. Corn is small, but level of weeds and has a good color. The small grain crop promises to be an immense yield. Early potatoes will be a fair crop.

NEBRASKA, Neb., June 22.—(Special).—A severe electrical storm passed over this vicinity last night between 11 and 12 o'clock. A barn belonging to James McKee, a farmer living on the edge of the town, was struck by lightning and burned. About one half inch of water fell, which was very heavy for the season.

NEBRASKA, Neb., June 22.—(Special).—Farmers are looking anxiously for rain, which is badly needed in some localities, though crops are beginning to green. Grasshoppers are reported as still doing some damage in some localities, but are said to be leaving and are doing little damage on the grass lands, having abandoned the grain fields. This is the season of the year when farmers are fearful of hot winds and dry weather, but so far no indication of hot winds are apparent, though the thermometer registered 102 on Sunday, in the afternoon.

NEBRASKA, Neb., June 22.—(Special).—A severe electrical storm passed over this city last evening, followed by a light rain. Small grain crops are beginning to ripen. The outlook for a big corn crop was never better.

NEBRASKA, Neb., June 22.—(Special).—Nicksolls county, under a fine prospect for crops of all kinds than now. The wheat during the past ten days has been very green and corn is making a rapid growth. Rye is also making a fine quality. All other small grain is also in the best of condition and fruit is abundant.

NEBRASKA, Neb., June 22.—(Special).—In this county there has been no rainfall for several weeks, and the soil was so wet in early spring that corn has a hard struggle with the weeds. The soil is now in a better condition, but the crop is not so good as it should be. Pastures are cut short, wheat and rye are now ripe and not filled, and oats are about heading. The soil is now in a better condition, but the crop is not so good as it should be.

NEBRASKA, Neb., June 22.—(Special).—An unusual storm of unusual magnitude visited this county last evening, followed by a heavy rain. The rain began to fall heavily from 9 o'clock. Rain began to fall heavily from 9 o'clock. Rain began to fall heavily from 9 o'clock.

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